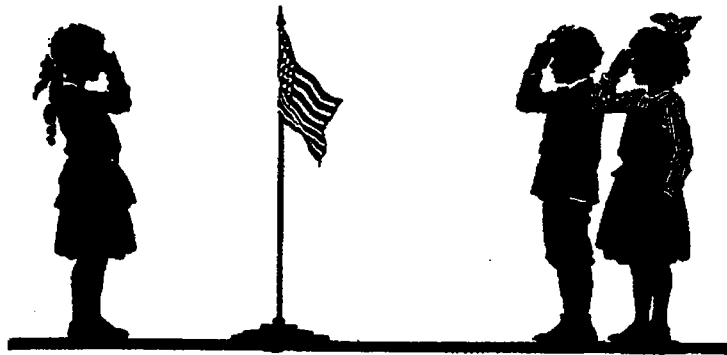


## Chapter 2

# Preparing For Deployment

The degree of preparation and the nature of the farewell may help determine the quality of the time apart, and the satisfaction of the reunion.



### "Everyone Will Now Be Mobilized..."

and all boys old enough to carry a spear will be sent to Addis Ababa. Married men will take their wives to carry food and cook. Those without wives will take any woman without a husband. Women with small babies need not go. The blind, those who cannot walk or for any reason cannot carry a spear are exempted. Anyone found at home after receipt of this order will be hanged."

Haile Selassie  
Emperor of Ethiopia

# Family Mobilization Preparation

## Identification Cards

**NOTICE OF MOBILIZATION:** As a member and/or dependent of the Army Reserve, you will normally be given reasonable time between the date you are alerted for active duty and the date you are to report. But, if conditions require it, units and individuals may be ordered to active duty with little or no warning. Thus, **YOU MUST MAKE SURE YOUR PERSONAL AND FINANCIAL AFFAIRS ARE IN ORDER, AND MAINTAINED THAT WAY AT ALL TIMES.**

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### Dependent Identification Cards

Upon entry to active federal service, you and your dependents become eligible for certain benefits and privileges not normally available to you as a Reserve family. The Active Duty Dependent Identification Card is your dependent's key to access those benefits. Dependent ID cards will be issued shortly after mobilization, either at the unit or at a DEERS/RAPIDS site. All dependents 10 years of age or older need an ID card. Listed below are the documents required to ensure prompt processing of your application for dependent ID cards. These documents should be readily available before mobilization:

- Marriage certificate (photocopies are acceptable).
- Certified copies of birth certificates for you and your dependents.
- Certified court adoption papers for all unmarried or physically disabled adopted children that you are required to support, regardless of age.
- Mentally or physically handicapped children over the age of 21 who are not capable of self support may be declared your legal dependents. Service members should present a separate statement for each child from a licensed doctor or medical officer documenting the nature, cause and period of each disability.
- Name and location of places where unmarried children (including adopted or stepchildren) over 21 but under 23 years of age are enrolled in a full-time course of study along with a letter from the institution verifying enrollment.
- Court order(s) giving you legal custody of any children from previous marriages (photocopies are acceptable).
- Copies of active duty orders. Copies of your orders will be needed should a rapid mobilization prevent completion of dependent processing before the soldier's departure. **The soldier's spouse should retain a copy of deployment orders at all times.**

### Obtaining Family Member Identification Cards

All Army Reserve family members should be enrolled in Defense Enrollment Eligibility Reporting System (DEERS). You may enroll and obtain an Army Reserve Dependent ID Card at the closest DEERS/RAPIDS site. The ID Card is your authorization for Army Reserve benefits. Should a mobilization to Active Duty occur, it is much easier for dependents to obtain an Active Duty ID card if they are already enrolled in DEERS.

#### For Army Reservists Mobilizing for Active Duty:

- The service member should complete DD Form 1172 (application for Uniformed Services Identification and Privilege Card) prior to departure for a deployment. This form identifies the family member as a dependent of a member of the Armed Forces on active duty. Even if you have previously completed this form to apply for a Reserve Forces ID card, you must reapply for an active duty card. Access to the military healthcare system is dependent on each eligible beneficiary being properly registered in DEERS.
- DD Form 1172 must be signed by the service member and **verified by the unit of record**. The form will not be honored at a military installation if it is not verified.
- A family member may obtain an ID card at a DEERS/RAPIDS site with a **verified** DD Form 1172, the military member's (your sponsor) mobilization orders, and your Power of Attorney.
- While you are waiting for your ID card to be made, you can use a **verified copy** of the DD Form 1172, along with a copy of your sponsor's mobilization orders as identification for your family for a period of 180 days. **NOTE:** Without Active Duty ID cards, delays in healthcare may be expected.



## Family Mobilization Preparation

### Specific Items for Reserve Members

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#### Automobile

Check your automobile registration, title and insurance policies to determine that they are in proper order. Advise your state's Department of Motor Vehicles of your entry into military service, your continuing legal residence and your temporary out-of-state address.

#### Business (self-employed)

If you are self-employed, active files and accounts should be well organized and someone should be named to take over upon mobilization. Consider notifying customers and suppliers of any change of address to which remittances, invoices, etc., should be delivered if a different address is to be used.

#### Death or Disability While on Active Duty

You should discuss with your spouse, other heirs and your attorney, your possible death or disability and resulting survivor benefits. Consider giving specific instructions regarding place and manner of burial.

#### Debts

Make arrangements for payment of outstanding bills and loans owed. Contact your installment creditors/mortgage holders and attempt to make arrangements to change installment payments appropriate to your new active duty salary. The Soldiers' and Sailors' Civil Relief Act gives you limited protection against judgments and foreclosures entered against you while you are in the service. It also provides for the extension of time for payments and reduction of interest to six percent if your entry into the service has impaired your ability to pay debts that you incurred prior to service.

#### Dependent Benefits

Talk with your spouse and other dependents about the benefits they will receive if you are ordered to active duty: use of military installation facilities, medical care and financial, legal and chaplain assistance.

#### Dependent Care Arrangements

Discuss with your family how you would like to provide for the care of disabled or aged dependents that now rely upon you.

#### Emergencies

In case of emergency, if your spouse or other interested person cannot contact you directly by telephone, advise them to contact the local chapter of the American Red Cross for assistance, after first contacting your Reserve unit POC (see Emergency Contact Information sheet at the front of this Guide; fill it out and use it).

#### Family History

Prepare a complete list of your marriages and dependents, including the names of former spouses, the names of any children, the dates and places of marriages, births and divorces, and leave the dates and places of deaths of any former spouses or children with certified copies of death certificates. Leave this document in your safe deposit box, another copy in a safe and accessible place, and also take a copy with you. If you have had a foreign divorce, check with an attorney to determine if the divorce will be recognized by the Army as valid. If it is not, your dependents could be denied all service benefits.

#### Insurance

Review life insurance policies to make sure that the beneficiaries and methods of settlement are satisfactory. Determine how the premiums are to be paid during your military service. Finally, be aware that many life insurance policies contain a "War Clause" or some other language, which may eliminate or reduce insurance coverage or change the method of premium payments while you are away. Notify your insurance companies if you move.

#### Last Will & Testament

An up-to-date will should be prepared by an attorney before entering the service. Sign the will and deposit the original in a safe but accessible place. In the absence of a will, State laws governing such matters (which may not be in accordance with your wishes)

determine the disposition of your property. It is

essential that you see a lawyer concerning the preparation of a will because certain statutory provisions must be complied with to ensure its validity. The Staff Judge Advocate's office will prepare a will at no cost to you. It is important to have a will regardless of your military financial or

marital status. It is also vital that your spouse have a will.

# Family Mobilization Preparation

## Specific Items for Reserve Members

### Legal Assistance.

After you are in the service, free legal assistance will be available to you from military lawyers called judge advocates or law specialists. Your legal dependents are also entitled to their legal services for free. If, however, you are going to be away from your dependents for a period of time, while stationed in the Continental United States or overseas, it might be wise for you to obtain an attorney whom your family could contact if they need legal assistance while you are gone. If you need the service of a civilian lawyer at any time while you are in the service, you may consult the local bar referral service or your military legal assistance officer for referral to a civilian attorney.

### Mailing Address

Be sure to provide your spouse and other interested persons with your military mailing address.

### Marital and Child Support Status

Decide what effect orders to active duty would have on alimony or child support payments which may or may not have been addressed in divorce, legal separation, annulment, child support and property settlement decrees. Consider obtaining amendments to decrees as they may pertain to your circumstances upon mobilization.

### Money Matters

Consider opening joint checking / savings accounts in a local bank with your wife, father, mother or other person you trust. Discuss this matter with a bank in which you have confidence.

- Arrange for money to be sent to your family during the first eight weeks that you are in the service.
- Make any necessary arrangements for your family to obtain credit and loans in emergencies during your absence.
- Make lists of all your credit cards (names and numbers) to leave at home and keep at your duty station.

### Movement of Dependents and Transportation of Household Goods

Housing and services for dependents at mobilization stations are not available. For this reason, movement

of dependents and the shipment of household goods to a mobilization station are not authorized.

### Personal Property

You probably will not be permitted to take automobiles or large personal items (television, stereo, etc.), although a few small personal items (portable radio, camera) are allowed. In certain instances of deployments within the United States, soldiers may be permitted to have personal automobiles

### Property Inventory

Prepare a complete inventory of all property, including deeds, car titles, and insurance policies. Specify where each item is located and place this inventory in a safe deposit box or leave it with your family. Arrange for someone that you trust to have access to this information.

### Real Estate Records

It is usually wise to have at least your home (and perhaps other property) owned jointly with your spouse for estate and tax purposes. Retain all records of home improvements for tax purposes in the event that you sell your home.

### Reemployment Rights

Take all steps necessary to protect your job reinstatement and reemployment rights. Notify your employer **IN WRITING** that you are leaving your job to enter the Armed Forces, and retain a copy of the written notice. Written notice will help avoid later misunderstandings.

### Record Maintenance

The importance of maintaining records cannot be overemphasized. It is vitally important in the event of mobilization. The checklist provided in this Family Deployment Guide, and the documents and records referred to (and there may be others) should be kept with your other valuable possessions and be readily accessible to your spouse, next of kin or

### Safe Deposit Box

Place important documents and small valuable items in a safe deposit box. Make arrangements to give

your spouse and/or the person holding your power of attorney the right of access. Copies of original

documents should be kept in an easily accessible place.

# Family Mobilization Preparation

## Specific Items for Reserve Members

### Securities

Stocks, bonds (together with buy-and-sell orders), certificates of deposit, savings account passbooks, notes receivable and other evidence of ownership of real, intangible, personal, or income-producing property should be kept together, identified and maintained in a safe deposit box. Coupon bonds should be exchanged for registered bonds, if possible. Name a custodian or trustee(s) to handle investment income, who will determine the purchase or sale of assets for your account, and provide instructions relating to keeping you informed of activity. This can be included in a Power of Attorney.

### Tax Exemptions

Remember that so long as you retain Minnesota, Wisconsin, Illinois, Indiana, Michigan or Ohio legal residence, the State in which you are temporarily located on a deployment is prohibited by the Soldiers' and Sailors' Civil Relief Act from taxing your income or personal property.

### Tuition

If you are paying tuition for your spouse or dependents, determine what arrangements can be made for tuition abatement financial assistance upon mobilization. Do not hesitate to ask any institution for reimbursement or refund of tuition payments regarding courses which are curtailed or terminated through a deployment. Notify the Headquarters, 88th RSC, of any institution which refuses to provide such

refund. Although not mandated by law, we may be able to assist you in obtaining a tuition refund.

### Voting

Visit your Supervisor of Elections and register to vote. You may also register by mail by writing to the Supervisor of Elections. This is the best possible indication that a particular State is your legal residence. Registration before leaving the State will make it easier for you to vote by absentee ballot.

### Plan Ahead

Planning ahead is the key to a successful deployment. Preparation prevents your family from feeling they have to handle everything alone, and helps keep the service member from worrying about things left undone.

The best time to start is now, at home. The following Family Checklist and Record of Personal Affairs will give you the information needed to get ready now. This Family Deployment Guide will also help you answer questions, deal with problems as they occur, and identify other information you may need to know.

## Family Mobilization Checklist

This document is the product of the North Carolina with the American Bar Association's Standing Committee revised by TJAGSA November 1993, and by the 88th RSC on 1 February 2002. This checklist should be reviewed periodically and ALWAYS prior to a TDY or deployment.



- Make sure your soldier's unit has your name, address and telephone number, along with the name, address and telephone numbers of one or more people who will know where you are at all times (even if you travel or move).
- Get the names and telephone numbers of key members of your Family Readiness Group, your unit's Commander and Rear Detachment Commander, Chaplain, and Unit Point of Contact.
- **MAKE SURE EACH FAMILY MEMBER HAS AN ACTIVE DUTY MILITARY I.D. CARD.**

Both the service member and spouse should ask yourself the following questions:

### **Medical**

- Are all the immunizations for myself, and my family members up to date?
- Do I know where my medical and dental records are kept?
- Do I know where these records for my family members are kept?
- Do I know how to get medical assistance if it is needed?
- Do I have current copies of prescriptions for medicine and glasses or contact lenses?
- Do I have one or more reliable sitters for absences or emergencies?

### **Finance**

- Will I have my money available to me on a continuing basis during my spouse's absence?
- Will I have enough money to buy all the necessities needed to maintain a household?
- If we are planning to leave our current home, have we been saving for the move? (Neither Army Emergency Relief nor the American Red Cross is authorized to lend money for such a move.)
- Do I know the address of banks where we have money?
- Do I know the account numbers and types of accounts that we have?

- Do I know the location of the bankbooks: checking and savings?
- Can I make deposits and withdrawals with only my signature? If the account shows an "and" between the spouse's name and the soldier's, it requires both signatures; and "or" ensures you can make deposits and withdrawals in the absence of your spouse. This designation can only be changed while the soldier is present to sign the bank signature card.
- Do we have a safe deposit box? Do I know where the key is?
- Do I have important receipts?
- Do I have a list of investments such as securities or bonds with their value, contact person's name, address and telephone numbers; do I know how to cash these in an emergency?
- Do I have copies of the past five years' state and federal income tax returns and everything needed for the next filing dates; and do I know who to contact for assistance in preparing the returns?
- Do I know where each of our credit cards is? Are their numbers logged and kept in a safe place? Do I know the company address for each so I can notify them immediately of any loss?
- Am I prepared to take complete control over our checking accounts, know the balance at all times, and never write a check unless I am certain of sufficient funds in the bank?
- Do I know all payments that must be made-- to whom (account numbers, addresses, phone numbers) and when for the following:
  - Electricity
  - Trash collection
  - Insurance (life, property, auto, etc.)
  - Taxes
  - Gas/fuel
  - Credit cards
  - Mortgage or rent payment
  - Phone
  - Other debts

## Family Mobilization Checklist

### Automobile / Transportation

- If the vehicle is financed, do I know the name and address of the Loan Company?
- Do I have the title or know its location?
- Do I have the vehicle's registration?
- Do I have the vehicle's insurance policy?
- Do I know the renewal date for the license plate?
- Do I know when to renew the inspection sticker?
- Am I insured to drive?
- Do I have a valid car or truck state driver's license? When does it expire?
- Is our car or truck in good operating condition and do I know where to go for repair?
- Have I had the vehicle serviced recently and know the mileage reading for the next oil change?
- Do I have a duplicate set of all keys?
- Can I make emergency repairs on the car if the situation arises (such as overheating, flat tire, dead battery)?
- If I am not licensed to drive, have I made arrangements to have transportation available?

### Legal / Administrative

- Are my family's identification cards up-to-date and valid until after the military member's return?
- Do I know where and how to obtain new identification cards?
- Has the military member executed a special power of attorney so I can take necessary action on important family matters during his or her absence?
- Has the military member executed a special power of attorney so that I can cash his or her monthly check (if the check will continue to be sent to my address)? Do I know where the general/special powers of attorney are kept?
- Do I have birth certification for my family and myself?
- Do I have a copy of our marriage certificate?
- Do I have copies of any adoption papers? Do I know where they are kept?
- Do I have a Social Security card?
- Do I have copies of our federal and state tax records?
- Do I know where all of our insurance policies are kept?
- Do I know where any stocks, bonds, or other securities that we own are kept?
- Do I know where any deeds are kept?

- Have I safeguarded all of our important papers?
- Do we have up-to-date wills? Do I know where the originals are kept?

### Important Document File

It is very important for the military family to keep copies or important documents and other valuable information in a safe place. It is equally important that the wife and husband jointly organize this file so that each knows how and where to find the documents when they are needed. The military member should have most of this information. Please sit down with him or her and gather this information and these documents. The time you spend going over this will save you time later on. **KEEP THE FOLLOWING DOCUMENTS IN A SPECIAL CONTAINER THAT YOU CAN DEFINITELY FIND IMMEDIATELY.**

As a minimum, the following documents should be included:

- Marriage certificate.
- Birth Certificates for all family members.
- Citizenship papers, if any.
- Adoption papers, if any.
- Passports, if any.
- List of Social Security Numbers of family members.
- Shot records (up-to-date) for all family members.
- Powers of attorney, if any.
- Wills.
- Insurance policies (both government and civilian)--with a list of companies, policy numbers, types of insurance coverage, addresses and phone numbers of agents or companies.
- Vehicle titles, if any.
- List of all members of immediate families with current addresses and phone numbers.
- List of all credit cards and account numbers.
- List of all bonds and stocks where certificates are located.
- Court orders relating to divorce, child supports, custody, alimony or property division, if any.
- Real estate documents--leases, deeds, mortgages and promissory notes, closing papers.
- A copy of any sales or installment contracts and finance agreements.
- List of bank accounts with types of accounts and account numbers.
- Armed Forces' identification cards for all family members 10 years of age or older.

- Copies of your spouse's military orders.
- Current addresses and telephone numbers of all members of immediate families of both you and your spouse. (Immediate family includes father,

mother, children, brother(s), and sister(s). You should have all other important telephone numbers you may need in case of emergency.)

## Legal Information – Powers of Attorney

This document is a product of the North Carolina State Bar's Special Committee on Military personnel, in conjunction with the American Bar Association's Standing Committee on Legal Assistance for Military Personnel. Edited by TJAGSA November 1993 and reviewed by 88th RSC SJA February 2002.

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A Power of Attorney (POA) is one of the strongest legal documents that an individual can give to another person. A POA is a document authorizing a designated person to act on your behalf. This person is called your agent or attorney-in-fact. A POA is generally used at times when you are not available to personally take care of your affairs. Acts performed by your agent or attorney-in-fact as designated by your POA are legally binding on you. Thus, a POA should only be used when absolutely necessary. Your agent should be mature, able to exercise good judgment, and be intelligent. PLEASE NOTE that third parties, (banks, businesses, etc.) DO NOT have to accept or acknowledge your POA. It is totally within their discretion to do so. However, the majority of persons, businesses and institutions will accept your POA. Check with a particular business or financial institution BEFORE obtaining or using a POA to be sure that it will be accepted.

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### General Power of Attorney (GPOA).

A GPOA authorizes your agent to act for you in all matters, to include the following:

- Access to any banking, checking, leave and earnings statement (LES), safety deposit box, or other accounts.
- Ability to borrow money in your name (for example, signature on loans).
- Ability to use your credit account to incur additional bills in your name only.
- Ability to sell or mortgage your property.
- Ability to sign any type of contract in your name.

This type of POA is rarely needed and usually not recommended because an agent can easily misuse it. This POA gives the agent the "power" to make almost any decision on your behalf. You may only find out about the decision when it is too late to change the obligation. A GPOA should only be given in a case where prolonged absence or unavailability is anticipated and actions to protect your property or family's welfare are likely to be necessary. As a rule, you should almost never grant a GPOA if a special POA would be sufficient. However, a GPOA to your spouse for a limited period of time may be useful.

### Special Power of Attorney (SPOA).

A SPOA authorizes your agent to perform a certain specified act. The following are examples:

- Sell or ship you an automobile.
- Ship or receive household goods.
- Cash your paycheck or tax return.

- Authorize medical care for children in your absence.

A SPOA is preferable to a GPOA because it is limited in scope. It can help protect you against an error in judgment or dishonesty by your agent.

### Safeguarding your Power of Attorney

- Never have a POA unless you need one.
- If you feel you might need a power of attorney, but are not certain, have one prepared but do not sign it until you need it.
- Always put an expiration date on your POA; never make a power of attorney that lasts indefinitely.
- Make sure your expiration date is for a fairly short period of time.
- Never use a GPOA where a SPOA will do.

### Expiration and Revocation of a POA

Your POA automatically terminates:

- Upon your death
- Upon the death of your agent
- On the expiration date specified in the POA, or when you revoke the POA

### You can revoke a POA by:

- Destroying the original and all copies,
- Informing your agent of the revocation, or
- Preparing and executing a Revocation of Power of Attorney documents and giving a copy of the revocation to any person that might deal or might have dealt with the person to whom you gave your POA.

THIS INFORMATION PAPER IS INTENDED  
ONLY FOR GENERAL INFORMATION  
REGARDING POWERS OF ATTORNEY. YOU  
SHOULD CONTACT THE 88th RSC LEGAL  
SUPPORT OFFICE FOR YOUR AREA FOR ANY  
SPECIFIC QUESTIONS:

MN, WI, UP of MI – 1-800-THE-ARMY, ext. 3234  
OH, MI – (614) 693-9727  
IL, IN, Greater Milwaukee Area – (847) 266-2525

## Legal Information – Making Your Will

This document is a product of the North Carolina State Bar's Special Committee on Military personnel, in conjunction with the American Bar Association's Standing committee on Legal Assistance for Military Personnel. Edited by TJAGSA November 1993 and reviewed by 88th RSC SJA February 2002.

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### What is a Last Will and Testament?

A Last Will and Testament is the legal document that controls the disposition of your property at death and may provide for guardianship for your children after your death. A will is not effective until death. As long as you are living, your will has no effect and no property or rights to property are transferred by it.

**Can My Will Be Changed?** Yes. Changes to a will are made by drafting a new will and destroying the old one, or by adding a "Codicil." A Codicil is a legal document that must be signed and executed in the same manner as your will. **NEVER MAKE ANY CHANGES TO YOUR WILL** without consulting an attorney. Changes on the face of your original will may make it invalid.

### What Is My Legal Residence?

Your legal residence is the State in which you have your true, fixed and permanent home and to which, if you are temporarily absent, you intend to return. Voting, paying taxes, owning property, motor vehicle registration and so on, are some indicators of one's legal residence. If you are a citizen of the United States, you must be a legal resident of some State. You cannot be a citizen at large. A naturalized U.S. citizen is considered to be a resident of the State in which they were naturalized.

### Is My Legal Residence Important With Regard To My Will?

Yes. Your legal residence affects where your will is probated and the amount of state inheritance or estate tax that may be paid at death.

**What Is My Estate?** Your estate consists of all your property and personal belongings, which you own or are entitled to possess at the time of your death. This includes real and personal property, cash, savings and checking accounts, stocks, bonds, real estate, automobile, etc. Although the proceeds of insurance policies may be considered part of your estate, a will does not change the designated beneficiaries of an insurance policy. The proceeds of an insurance policy will normally pass to the primary or secondary beneficiary designated on the face of the respective policy.

### To Whom Should I Leave My Estate?

A person who receives property through a will is known as a "Beneficiary." You may leave all of your property to one beneficiary, or you may wish to divide your estate among several persons. You may designate in your will that several different items of property or sums of money shall go to different persons. In any event, you should decide on at least two levels of beneficiaries: "Primary Beneficiaries" are those who will inherit your property. "Secondary Beneficiaries" are those who will inherit certain property if the primary beneficiary of the property dies before you do; or at the same time. You may want to select a third level beneficiary in the event that both the primary and secondary beneficiaries die before you.

### May A Person Dispose Of His or Her Property in Any Way?

Generally, you are free to give your property to whomever you desire. However, most States have laws that entitle spouses to at least part of the other spouse's estate. Some States also provide shares of the estate to children of the decedent. Other provisions of the law may control insurance proceeds and jointly owned property. If you have questions concerning the statutory share law in your home State, you should ask a legal assistance officer.

### Should I Name A Guardian for My Children?

Yes. Usually the surviving spouse is designated in a will as the guardian of any minor children. By so naming the spouse in the will, you can sometimes relieve him or her of any requirement to post bond through a court. You should also give serious consideration to naming a substitute guardian. This would provide for a guardian for your children in the event that your spouse dies before you or you and your spouse die at the same time. This substitute guardian need not be the same person in both your will and your spouse's will.

**What Is an Executor?** An executor (executrix, male) is the person who will manage and settle your estate according to the will. You should also consider naming a substitute executor in the event that the named executor is unable or unwilling to

serve. By the wording of your will, you can require that your executor or substitute executor be required to post bond or other security, or you can waive this

requirement, thereby saving expense to your estate. The choice is yours.

## Legal Information – Making Your Will

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### **What If I Want To Set Up A Trust?**

The resources available through a military legal officer do not permit the drafting of trust agreements. To accomplish this, you should consult your bank's trust department or contact a civilian attorney.

### **What If I Still Have Questions Regarding My Will?**

Ask them while your legal assistance officer is preparing your will. Be sure that you convey accurately to the legal assistance officer your wishes for the distribution of your property.

**How Long Is A Will Good?** A properly drawn and executed will remains valid until it is changed or revoked. However, changes in circumstances after a will has been made, such as tax laws, marriage, birth of children, or even a substantial change in the nature or amount of a person's estate, can affect whether your will is still adequate or whether your property will still pass in the manner you chose. All changes in circumstances require a careful analysis and reconsideration of the provisions of a will and may make it wise to change the will, with the help of your legal assistance officer.

### **Does A Will Increase Probate Expense?**

No. It usually costs less to administer an estate when a person leaves a will than when there is no will. A properly drafted will may reduce the expense of administration in a number of ways. Provisions can be placed in wills that take full advantage of the federal and State tax laws. Drawing a will can avoid the expense of posting bond or appointing a guardian for your children. A properly drafted will can save money for your family.

### **How Large Of An Estate Justifies A Will?**

Everyone who owns any real or personal property should have a will, regardless of the present amount of his or her estate. Your estate grows daily in value through the repayment of mortgages, appreciation of real estate, stocks and other securities, inheritances from relatives and other factors.

**What Happens When You Don't Make A Will?** When a person dies without a will (or dies "intestate,") the property of the deceased is

distributed according to a formula fixed by law. In other words, if you don't make a will, you don't have any say as to how your property will be divided. Of most importance for mothers and fathers, however, is not the disposition of their property after their death but rather the proper care and custody of their minor children. Grandparents, other family members and godparents do not automatically receive custody of children who do not have a surviving parent. Your will should specify the individual, as well as an alternate you would like to designate as the guardian of your children. This decision on your part will be of great assistance to the court in determining who will receive the custody of your children.

### **What Happens To Property Held In Both Husband And Wife's Names?**

Joint bank accounts and real property held in the names of both husband and wife usually pass to the survivor by law and not by the terms of the deceased's will. There are many cases in which it is not to your advantage to hold property in this manner.

### **Is A Life Insurance Program A Substitute For A Will?**

No. Life insurance is only one kind of property which a person may own. If a life insurance policy is payable to an individual, the will of the insured has no effect on the proceeds. If the policy is payable to the estate of the insured, the payment of the proceeds may be directed by a will. The careful person will have a lawyer and a life insurance counselor work together on a life insurance program, as one important aspect of estate planning.



